

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

transmitted electronically via EFS-Web.

Michael J. Le Strange

Name of Person Certifying

08/07/2008

Date

/Michael J. Le Strange/

Signature of Person Mailing Paper and Fee

**In the United States Patent and Trademark Office**

**Date:** August 8, 2008

**In re Application of:** Hazelzet, et al.

**Filed:** 11/18/2003

**For:** Memory Device with Programmable Receivers to Improve  
Performance

**Serial Number:** 10/707,053

**Confirmation Number:** 1052

**Art Unit:** 2827

**Examiner:** Michael Thanh Tran

Commissioner of Patents & Trademarks  
Alexandria, VA 22313

Sir:

In response to the Notice of Abandonment dated June 09, 2008 Applicant hereby petitions that the Notice of Abandonment be withdrawn due to Applicant's nonreceipt of an Office Action. Applicants submit herewith:

- 1) A copy of the most recent docket sheet for this file is attached herewith (Attachment I). Our docket sheet indicates that the last item received in this file was from the Assignee on June 12, 2006 responding to Notice of Non-Compliant Amendment mailed on May 12, 2006.
- 2) Also enclosed is a copy of the docket report (Attachment II) which shows all replies docketed for a date three months from the mail date of the nonreceived Office Action which was date mailed August 16, 2006 (the report covers August

16, 2006 through November 16, 2006).

- 3) Further, we enclose a report of items received (Attachment III) from July 12, 2006 to September 16, 2006 (a month prior to, and a month after the August 16, 2006 mailing date) demonstrating that no entry was made for serial number 10/707,053.
- 4) We also enclose the responsible attorney's personal docket sheet for June 2006 (Attachment IV) showing no entry for a 3-month action on Serial Number 10/707,053.
- 5) Also enclosed is a Renewed Petition to Withdraw Holding of Abandonment Under 37C.F.R. 1.18(a) Based on Failure to Receive Office Action. This statement describes our system for recording Office Actions received.

This Petition under 37 CFR 1.181(a) does not require a fee.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0456.

Respectfully submitted,  
For: Bruce G. Hazelzet, et al.

By: /Michael J. Le Strange/  
Michael J. Le Strange  
Registration No. 53,207  
Telephone No.: (802) 769-1375  
Fax No.: (802) 769-8938  
EMAIL: lestrang@us.ibm.com

International Business Machines Corporation  
Intellectual Property Law - Mail 972E  
1000 River Road  
Essex Junction, VT 05452